



City of Anaheim

DEPARTMENT OF PUBLIC WORKS

November 21, 2014

Christopher Calfee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Re: Updating Transportation Impact Analysis in the CEQA Guidelines- Comments on the Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing SB 743

Dear Mr. Calfee:

Thank you for providing the opportunity for the City of Anaheim to review the Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing SB 743. The City of Anaheim offers the following comments on the draft guidelines.

- We have concerns about the availability of reliable trip length estimates for different land uses in different parts of the state. A regional land use/transportation model would need to be used consistently for all projects, requiring a major effort for agencies at the local and regional levels. Many cities will need to adopt a traffic model consistent with their MPO's, which is a costly and time consuming process that many smaller cities may not have the resources to implement. And for those agencies which already have a reliable model, most projects which did not need to use a model before will now be required to use one.
- There appears to be no guidance in regards to regional metrics to compare against to determine impacts. Which metrics should be used? And how can they be consistent between neighboring jurisdictions? Detailed VMT analysis procedures should be established to ensure consistent analysis across regions and to ensure all VMT is counted (i.e. OD method vs boundary method for VMT analysis). The current methodologies using LOS may differ between jurisdictions, but are relatively simple to incorporate. However, the measurement of VMT can vary significantly between jurisdictions. Since there is no guidance about a consistent method to measure VMT, there would also not be a consistent level of impact between jurisdictions.
- The guidelines provide no discussion about extra-jurisdictional impacts. Is there any requirement to analyze extra-jurisdictional impacts, and if it is required, how should this be approached? Differing methods between adjacent jurisdictions could lead to one agency stating a project has significant impacts within their jurisdiction, while the agency where the project is physically located would state that there are no impacts. This can also be compounded by jurisdictions using different regional metrics.
- How will regional attractions, such as regional shopping malls, theme parks, convention centers, and stadiums be analyzed under the new guidelines? Would they too be compared to the regional metric? What would be the mitigation for these regional attractions? Impacts from these facilities typically affect facilities in neighboring jurisdictions in many cases.

- Under the proposed guidelines, location may be considered a significant impact. This does not take into account the project's size or type. Also, local jurisdictions do not have the ability to change a project location for a private development as a mitigation measure.
- Certain aspects of a project and any mitigation associated with it cannot be measured directly through VMT. For example, most local and subarea models do not directly measure transit ridership, bicycle and pedestrian activity. Also, VMT does not take into consideration the operational impacts of a new development.
- The elimination of LOS as a measure for significant impacts may impact an agency's ability to collect transportation impact fees. Since impact fees are typically based on improvements necessary to provide an acceptable level of service throughout a jurisdiction, it could make these impact fees vulnerable to legal challenge. A fee program is necessary to receive funding for projects within Orange County.
- There should be some guidance about how to establish a legally defensible impact fee system based on VMT, and some guidance on how to apply those fees to improvements that have the greatest benefit to the proposed project. If an impact is found based on VMT, mitigation measures, and any fees collected for them, may be applied to improvements that are not in the vicinity of the project, for which there may not be a nexus.
- There should be some guidance in regards to how induced demand can be calculated, and how projects that add capacity will be mitigated due to the potential for induced demand.
- VMT reduction can be achieved by TDM measures. Some agencies have TMD ordinances which help to quantify vehicle trip reductions, while CAPCOA has very generalized reductions to VMT for projects. With a wide range in potential reductions, it will be hard to use this information defensibly in a CEQA analysis without more specificity.

Once again, we appreciate the opportunity to review the draft guidelines. Should you have any questions or comments, please call me at 714-765-4920.

Sincerely,



David Kennedy, P.E.
Principal Traffic Engineer

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